

REMARKS

The Application has been carefully reviewed in light of the Office Action dated October 20, 2004. Claims 25 to 31 are in the application, of which Claims 25, 26 and 28 to 31 are independent. Claims 20 to 24 are being canceled without prejudice or disclaimer of the subject matter. Claims 25 to 31 are being added. Reconsideration and further examination are respectfully requested.

The Office Action lodges objections to Claims 20 to 22 and 24. Without conceding the correctness of the objections, Claims 20 to 24 are being cancelled herein. Accordingly, withdrawal of the objections is respectfully requested.

Claims 20 to 24 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,943,650 (Kanno and U.S. Patent No. 6,799,272 (Urata). Without conceding the correctness of the rejection, these claims are being cancelled.

New Claims 25 to 31 manage software battery information for a client terminal via a network by: 1) receiving, from the client terminal, personal information of a user of the client terminal and type information on a type of software battery; 2) based on the personal information of the client terminal user and the software battery type, transmitting to the client terminal battery origin data, a user ID and a battery usage management program; 3) receiving, from the client terminal, use history information for each software application checked by executing the usage management program at the client terminal. According to one aspect of the present invention, use history information for each of the checked software applications, which is received from the client terminal, is

used to calculate a charge for use of each of the software applications based on the received use history; and the client terminal is notified of the calculated charge for each of the software applications.

The applied art, namely Kanno and Urata, are not seen to show each and every one of the above-identified features, particularly as regards sending, to a client terminal, battery origin data, a user ID and a battery usage management program based on user's personal information and type information transmitted from the client terminal, and executing the battery usage management program at the client terminal to generate use history information for each software application checked by the battery usage management program. The use history information, which is transmitted from the client terminal, is used to calculate a use charge for each of the software applications checked by the battery usage management program, and a notification of the calculated use charge is provided to the client terminal.

Kanno is seen to describe managing the operation of a managed software product to provide controlled access by a user of the software product. Kanno is seen to provide a charge value for a software application in response to a charge value request from a user machine. More particularly, referring to Kanno commencing at col. 10, line 45, a user requests an addition to a software application's battery value by sending a charge value request to the host computer, which includes the serial number for the software application. In response, the host computer creates management information based on the serial number, issues a charge value for the software application, and the change value is

sent to the user's computer.

However, Kanno is not seen to describe sending battery origin data, a user ID and a battery usage management program to a client terminal in response to receipt, from a client terminal, of a user's personal information and software battery type information. In addition, Kanno is not seen to execute the battery usage management program at the client terminal to generate use history information for each software application checked by the battery usage management program, the use history information, which is transmitted from the client terminal, is used to calculate a use charge for each of the software applications checked by the battery usage management program, and a notification of the calculated use charge is provided to the client terminal.

Urata has been carefully reviewed and is not seen to remedy the deficiencies noted with respect to Kanno.

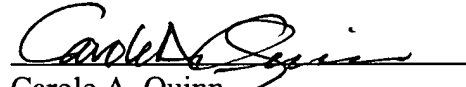
Therefore, for at least the foregoing reasons, independent Claims 25, 26 and 28 to 31 are believed to be in condition for allowance.

Claim 27, depends from Claim 26 discussed above and is therefore believed patentable for the same reasons. Because the dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the claim on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office by telephone at (714) 540-8700. All correspondence should be directed to
our address given below.

Respectfully submitted,


Carole A. Quinn
Attorney for Applicants
Registration No.: 39,000

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 89883v1